

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

FELICIA S. HENDRICKS,

Plaintiff,

vs.

WARDEN McDONNELL; STATE OF  
ALABAMA DEPARTMENT OF  
CORRECTIONS,

Defendants.

) 2005 JUN 30 P 4: 36  
)  
) DONALD R. BACKETT, CLK  
) U.S. DISTRICT COURT  
) MIDDLE DISTRICT ALA  
) CASE NO.: 2:05-CV-714-F  
)  
)  
)  
)  
)  
)

**MOTION TO FILE RESPONSE IN OPPOSITION TO  
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OUT OF TIME**

COMES NOW, Plaintiff Felicia S. Hendricks, by and through undersigned counsel and move this Honorable Court for leave to file her response to the defendants' motion for summary judgment out of time. In support thereof, plaintiff shows the Court as follows:

1. The deadline to file the plaintiff's response was June 29, 2006. The undersigned counsel for the plaintiff was unable to timely file his brief yesterday as he was in a mediation.
2. The plaintiff's response in opposition is hereby filed contemporaneously with this motion.
3. The defendants will not be subjected to any undue prejudice with this court allowing leave to file a day beyond the court imposed deadline.

**WHEREFORE, PREMISES CONSIDERED,** plaintiff moves this Honorable Court to accept her brief and response in opposition to the defendants' motion for summary judgment.

Respectfully submitted,



---

**Amardo Wesley Pitters, Esquire**  
**Attorney for the Plaintiff**  
**Alabama State Bar No.: 8989-T64A**

**OF COUNSEL:**

***A. WESLEY PITTERS, P.C.***  
**1145 South Perry Street (36104)**  
**P.O. Box 1973**  
**Montgomery, Alabama 36102-1973**  
**Telephone: (334) 265-3333**  
**Telecopier: (334) 265-3411**  
**Email: [awpitters@pitterslawfirm.com](mailto:awpitters@pitterslawfirm.com)**

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 30 day of November, 2005, a copy of the foregoing was duly served upon the following:

**Hon. Kim T. Thomas  
Hon. Greg Biggs  
Alabama Department of Corrections  
Post Office Box 301501  
301 South Ripley Street  
Montgomery, Alabama 36130**

via United States Postal Service.



**Amardo Wesley Pitters, Esquire**